

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE, TENNESSEE**

RONALD E. McDANIEL,

Plaintiff,

VS.

SEVIER COUNTY, TENNESSEE, et al.,

Defendants.

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CASE NO.: 3:12-CV-208

MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL

Comes Plaintiff, Ronald E. McDaniel, by counsel, and pursuant to Rule 12, Electronic Case Filing Rules and Procedures, moves the Court to permit Plaintiff to file under seal the insurance policies only recently provided to Plaintiff by Defendants pursuant to F.R.C.P. 26 (a)(1)(A)(iv), along with a Memorandum in Support.

Said policies are subject to the Protective Orders entered or applied for in this case (see, Documents 97 and 100) as they have been deemed confidential by the Defendants pursuant to said Orders.

Plaintiff would reference the Court to his Motion to Compel Mediation submitted herewith. (See, Document 109).

In essence, Plaintiff has learned that one of the insurance policies in question contains provisions which adversely affect the amount of coverage the longer the case continues. Certain significant litigation costs are and will continue to be deducted from the policy limits as the case

continues, threatening any amount which could ultimately be used to satisfy any judgment in favor of Plaintiff or a settlement of the case.

PREMISES CONSIDERED, Plaintiff believes the Court should order the parties to mediation. In support of that Motion, Plaintiff believes the language of one of said insurance policies relative to continuing case preparation by Defendants will have adverse consequences.

As such, Plaintiff requests the Court permit him to file the insurance policies and Memorandum in Support under seal along with brief explanation of the nature of the policy in question, and why, as such, the time is over-ripe for the Court to order mediation.

Respectfully submitted,

RONALD E. MCDANIEL

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September, 2013, a copy of the foregoing **MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL** was filed electronically using the Court's ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U. S. Mail. Parties may access this filing through the Court's electronic filing system.

HUNTER, SMITH & DAVIS, LLP

s/William C. Bovender

William C. Bovender